

REMARKS/ARGUMENTS

Favorable reconsideration of this application, as presently amended and in view of the following discussion, is respectfully requested.

Claims 1-15 are pending. The present amendment adds new Claims 11-15.

First, Applicant acknowledges with appreciation the courtesy of a personal interview conducted on November 4, 2003. During the interview, the presently submitted amendment and the arguments in support of patentability, substantially as hereinafter presented, were discussed. However, no agreement was reached with regard to the ultimate patentability of this application, pending the Examiner's further reconsideration and an update search of the prior art.

In the outstanding Office Action, Claims 1 and 2 were rejected under 35 U.S.C. § 102(b) as being anticipated by Schober; Claims 3 and 4 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Schober in view of Isohatala; Claim 5 was rejected under 35 U.S.C. § 103(a) as unpatentable over Schober; Claim 6 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Schober in view of Tamura; Claims 7-9 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Schober in view of Vannatta; and Claim 10 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Schober in view of Gumussoy.

As noted during the interview, the invention of Claim 1 is directed to a foldable portable telephone having first and second casings that are coupled to each other with a hinge portion. First and second electronic circuit portions are provided within the first and second casings, respectively. The portable telephone also includes first and second shield members for shielding the first and second electronic circuit portions, respectively, and at least one of

the first and second electronic shield members additionally serves as an antenna for the portable telephone. The Schober reference discloses a wireless telephone with a self contained antenna. The antenna in the Schober reference includes a metallic element 8 and a static shield 5. Column 3, lines 63-68. The static shield 5 is the first layer underneath the keypad of the phone, and the metallic element 8 is fixed to the hinged planar element 9. Schober, Figure 1. Although the static shield 5 provides a shield, nothing in Schober teaches or suggests that the metallic element 8 is anything other than an antenna. The metallic element 8 is not a shield member. The cross sectional view in Figure 2 reveals that there are no electric components in the planar section 9 that can be shielded because the metallic element 8 is flush against the planar surface 9. Accordingly, Schober does not teach or suggest both a first shield member and a second shield member where at least one of the first and second shield members additionally serves as an antenna for the portable telephone, as defined by Claim 1. Schober merely discloses a single static shield 5. Nor would it be obvious to modify Schoeber so that the metallic element 8 is a shield because to do so would undesirably alter the characteristics of the dipole antenna.

Accordingly, Claim 1 is believed to patentably distinguish over the Schober reference. With respect to the other applied references, Isohatala, Tamura, Vannatta, and Gumussoy fail to account for the deficiencies of Schober. Accordingly, Claim 1 and all claims dependent therefrom are believed to patentably distinguish over the applied references.

Turning now to new Claims 11-13, the Schober reference does not disclose a shield box containing an electronic circuit portion. This is because the static shield 5 in Schober is a generally flat plate behind the keypad and is not believed to shield electronic components in the Schober telephone from external noise or noise leaks. On the other hand, an advantageous function of the shield box of the present invention is the ability to help shield electronic components within the shield box from external noise and to prevent noise

generated by those electronic components from leaking outward. Specification, page 5, lines 15-19. Neither Schober standing alone nor Schober in combination with other references, as applied in the outstanding Office Action, anticipates or makes obvious Claims 11-13.

Therefore, Claims 11-13 are believed to patentably distinguish over the applied references.

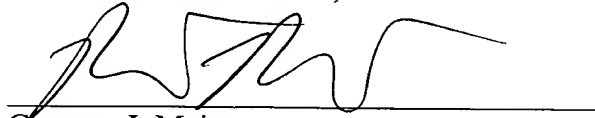
New Claim 14 depends from Claim 1 and is supported by Figure 4 of the present disclosure, for example. Claim 14 requires that the second circuit portion has a transmitting circuit for transmitting signals and a ground layer. An output terminal of the transmitting circuit is connected via the hinge portion to the first shield member, and a ground terminal of the transmitting circuit is connected to the ground layer. This is different from the disclosure of Schober, which describes a dipole antenna formed by the static shield 5 and the antenna element 8. Accordingly, Claim 14 is not believed to be anticipated or made obvious by the Schober reference, alone, or in combination with the other applied references.

New Claim 15 depends from Claim 1 and recites that the first casing is an upper casing and the second casing is a lower casing, where the second casing is adapted to be held in the user's hand. The Schober reference, the upper casing is held in the user's hand, and the lower casing simply serves to direct sound to a microphone and to operate as part of a dipole antenna. Col. 2, lines 34-64. Thus, Schober is not believed to anticipate or make obvious the invention of Claim 15. Further, it would not be obvious to modify Schober to incorporate the features of Claim 15 because the modification of Schober's planar section 9 would hinder its ability to function as half of a dipole antenna.

In view of the foregoing discussion, no further issues are believed to be outstanding in the present application. Therefore, Applicant requests that the present application be allowed and be passed to issue.

Respectfully submitted,

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